



February 21, 2001

HOUSE BILL No. 1663

DIGEST OF HB 1663 (Updated February 19, 2001 8:39 PM - DI 98)

Citations Affected: IC 5-22; noncode.

Synopsis: Purchasing preference for calcium rich foods. Provides, for purposes of the purchase of food or beverages to be served in a building or room owned or operated by a governmental entity, that a purchasing agent shall give a preference to foods and beverages that: (1) contain a higher level of calcium than products of the same type and quality; and (2) are equal in price to or lower in price than products of the same type and quality. Makes an exception for contracts for the purchase of supplies that were entered into before July 1, 2001.

Effective: July 1, 2001.

Friend, Brown C, Scholer, Klinker

January 17, 2001, read first time and referred to Committee on Human Affairs.
February 20, 2001, amended, reported — Do Pass.

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February 21, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1663

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-22-15-7, AS AMENDED BY P.L.153-1999,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]: Sec. 7. (a) An offeror may claim one (1) of the
4 following types of preference for which the offeror is eligible:

5 (1) An Indiana business preference under rules adopted under
6 section 20 of this chapter or IC 4-13.6-6-2.5.

7 (2) A preference for supplies as provided by sections 16, 18, ~~and~~
8 19, **and 24** of this chapter.

9 (3) An Indiana small business preference as provided by section
10 23 of this chapter.

11 (b) An offeror may not claim more than one (1) preference as
12 provided by sections 16, 18, ~~and~~ 19, **and 24** of this chapter for a given
13 supply item.

14 (c) This section does not:

15 (1) apply to; or

16 (2) limit;

17 action of the Indiana department of administration under rules adopted

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under section 21 of this chapter.

SECTION 2. IC 5-22-15-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 24. (a) This section applies to:**

- (1) a governmental entity listed in section 1 of this chapter; or**
- (2) a business that contracts with a governmental entity listed in section 1 of this chapter;**

that purchases food or beverages to be processed and served in a building or room owned or operated by the governmental entity.

(b) This section does not apply to a state institution (as defined in IC 12-7-2-184) if the director of the state institution determines that purchasing high calcium foods and beverages would interfere with the proper treatment and care of the state institution's patients.

(c) High calcium foods and beverages are preferred supplies. A purchasing agent shall give a preference to foods and beverages that:

- (1) contain a higher level of calcium than products of the same type and quality; and**
- (2) are equal in price to or lower in price than products of the same type and quality.**

SECTION 3. [EFFECTIVE JULY 1, 2001] **(a) Notwithstanding IC 5-22-15-24, as added by this act, a purchasing agent who has entered into a contract with a supplier before July 1, 2001, to purchase food and beverages is not required to purchase high calcium foods and beverages if purchasing those products would change the terms of the contract.**

(b) This SECTION expires July 1, 2003.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1663, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 18, delete "a similar" and insert "**the same**".

Page 2, line 20, delete "a" and insert "**the same**".

Page 2, line 21, delete "similar".

and when so amended that said bill do pass.

(Reference is to HB 1663 as introduced.)

SUMMERS, Chair

Committee Vote: yeas 11, nays 0.

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